

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36881 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -BARUN District- AURANGABAD

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Dhanrajo Devi, w/o Arjun Sao, R/v Siris, P.S. Barun, Distt. Aurangabad
..... Petitioner

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Prem Kr.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-09-2015 Heard learned counsel for the petitioner and learned
Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Barun P.S. Case No. 52 of 2015 disclosing offences under Sections 304(B)/34 of the Indian Penal Code.

The petitioner is the mother-in-law of the deceased.

Learned counsel appearing on behalf of the petitioner submits that there is no specific allegation of demand of dowry against the petitioner, immediately prior to the death of the deceased and, therefore, no offence punishable under Section 304(B) of the Indian Penal Code is made out. He further submits that the petitioner, being a lady, cannot flee from trial and is not expected to tamper with the evidence, in view of nature of offence against her. He submits that no tangible purpose will be served, if

the petitioner is taken into custody in the present case.

Considering the aforesaid submission and fact that petitioner is lady, this application is allowed. Let the petitioner, above named, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 52 of 2015 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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